

Town of La Pointe Zoning
Town Plan Commission Regular Monthly Meeting Minutes
March 19, 2014

Town Plan Commission (TPC) Members Present: Ted Pallas, Chair, Charles Brummer, Vice-Chair, Carey Baxter, Greg Thury (4).

Town Plan Commission members absent: Joan Martin, Margie Denton, Suellen Soucek (3).

Public Present: Mike Starck, Paul Brummer (2).

Town Staff Members Present: Lisa Potswald, Planning and Zoning Administrator (1).

I. Call to Order/Roll Call

Chair Pallas called the Meeting to order at 4:30 PM. Roll call reflected members present or absent as recorded above.

II. Public Comment

None.

III. Approval of Previous Meeting Minutes

G. Thury moves to approve the Town Plan Commission Special Monthly Meeting minutes of March 5, 2014 as submitted. C. Baxter seconds. Four in favor. Motion carries.

IV. Zoning Administrator's Report

Zoning Administrator attended the Ashland County Zoning Committee Public Hearing on March 14. Four people spoke, all in favor of the moratorium. The Committee referred the moratorium to the Ashland County Board for approval.

The Zoning Committee scheduled a public hearing for April 9, 2014 at 10:00 a.m. at the Town Hall to hear comments on the Ashland County zoning amendment of adding Town of La Pointe language. They will then meet on April 10 to make a decision regarding their recommendation to the County Board, which will meet on April 15. If the language is approved by the County Board, the moratorium can be lifted by May 1.

V. Consideration and/or Action of Permit Applications

None.

VI. New Business

a. Elaine Nelson property divisions/transfers: #014-00194-0100, #014-00180-0100.

ZA asks the Town Plan Commission to review the requested changes. The property is in the Wilderness Preservation District #2, which requires minimum 5 acre lot sizes and 300 foot road frontages. In order for the two 50 foot strips of land between PIN 194.03 and 194.04 to be separated from PIN 194.01 and 194.06, and 180.02 to be separated from PIN 180.01, each strip must be combined with an adjacent piece of property, as property divisions cannot create nonconforming lots. Town Plan Commission members have no issues with splitting the lower portion of PIN 180.01 into two lots, just so they each meet the dimensional requirements, and that the new house meets the required setbacks once the

lower part of the lot is split into two. They have no issues with joining the upper areas of PIN 194.01 and PIN 180.01. The next step is to complete a Certified Survey Map.

VII. Old Business

a. Public hearing results regarding Town of La Pointe zoning/next steps

Between now and next meeting, Town Plan Commission members will go through ordinance to review. Attorney Fauerbach has reviewed once, and is reviewing again. The County Administrator has stated that the county cannot add the whole town ordinance, so we must figure out what we can live with. This is an intermediate step; ZA recommends that we still plan to go to legislature for full remedy. C. Brummer supports developing separate sign, parking, rental, and camping ordinances at least temporarily. C. Baxter states we want to make sure the town will not be put in a legal dilemma by cutting down too much or changing language. Many things in Town ordinance are also in Ashland County ordinance. If the amendment has the same setbacks and lot sizes as in the town ordinance, it will do what we need.

The Town Plan Commission discussed substantial completion versus substantial start as requested by a citizen. TPC members agree that they don't want to make the changes based on one person's request, plus it's making a change versus leaving things essentially the same, the purpose of this amendment. ZA is keeping list of potential changes/additions for future ordinance changes.

Attorney Fauerbach wants the Town Plan Commission to understand that a major process change is that Town Plan Commission now makes recommendations to the Town Board, which makes recommendations to the Zoning Committee and County Board. All language on the Town Board of Appeals was taken out because the county Board of Appeals will cover any appeals within 1000 feet.

Town Plan Commission members need to review it and make sure the amendment has in it what must be in it. C. Brummer mentioned height restriction is included. G. Thury thought we should include a purpose statement – ZA will ask Attorney Fauerbach. Updated copies will be placed in boxes by Friday noon – print on color copier.

b. Rental Ordinance – Building Inspector inspection/fees/alternatives

Some Town Plan Commission members have received comments from the public. The purpose of the Building Inspector's language in the ordinance is to deal with some of the historically problematic rental units on the Island. It was discussed and agreed that the language should be changed to complaint driven. Regular building inspections will be burdensome for rental property owners. The Town is dependent upon health department inspections and getting reports of problem rental properties. ZA can then prepare complaints to pass on to the Building Inspector. C. Brummer recommends adding the land use matrix to the ordinance. G. Thury recommends adding a definition for designated town official, and the International Property Maintenance Code should be replaced with commercial and UDC codes.

T. Pallas moves recommending approval of the rental ordinance by the Town Board contingent on changes discussed at this meeting. G. Thury seconds. All in favor. Motion carries.

c. Impact Analysis review

The intent of the document is to give it to Town Board and Zoning Committee to assist in understanding and explaining the impact of the Hegwood decision. C. Brummer moves to approve impact analysis of February 22, 2014 as presented. All in favor. Motion carries.

- d. **Comprehensive Plan survey results**
Put on next meeting agenda.
- e. **Comprehensive Plan review and changes**
Put on next meeting agenda.
- f. **Expedited citation process**
This will be included in a future ordinance change. It is included in the new Rental Ordinance (page 15).

VIII. Future Agenda Items

- a. Town of La Pointe zoning ordinance for Ashland County
- b. Comprehensive Plan survey results
- c. Comprehensive Plan revision
- d. Expedited citation process

IX. Schedule Future Meetings

- a. Next Regular Monthly Meeting to be held **Wednesday, April 2, 2014 at 4:30 p.m.**

X. Adjournment

G. Thury moves to adjourn. C. Baxter seconds. All in favor. Motion Carries. Meeting ends at 5:40 pm.

Town Plan Commission minutes respectfully submitted by Lisa Potswald, Planning and Zoning Administrator, on Tuesday, March 25, 2014.